

Item No. 8c**TOWN OF LAUDERDALE-BY-THE-SEA****AGENDA ITEM REQUEST FORM****Administration**

Department Submitting Request

Town Manager Esther Colon

Dept Head's Signature

Commission Meeting Dates	Last date to turn in to Town Clerk's Office	Commission Meeting Dates	Last date to turn in to Town Clerk's Office	Commission Meeting Dates	Last date to turn in to Town Clerk's Office
<input type="checkbox"/> Nov 10, 2009	Oct. 30 (5:00 p.m.)	<input type="checkbox"/> Jan 26, 2010	Jan 15 (5:00 p.m.)	<input checked="" type="checkbox"/> March 23, 2010	Mar 12 (5:00 p.m.)
<input type="checkbox"/> Dec 1, 2009	Nov 20 (5:00 p.m.)	<input type="checkbox"/> Feb 9, 2010	Jan 29 (5:00 p.m.)	<input type="checkbox"/> April 13, 2010	April 2 (5:00p.m.)
<input type="checkbox"/> Dec 8, 2009	Nov 25 (5:00 p.m.)	<input type="checkbox"/> Feb 23, 2010	Feb 12 (5:00 p.m.)	<input type="checkbox"/> April 27, 2010	April 16 (5:00p.m.)
<input type="checkbox"/> Jan 12, 2010	Dec 31 (5:00 p.m.)	<input type="checkbox"/> Mar 4, 2010	Feb 19 (5:00p.m.)	<input type="checkbox"/> May 11, 2010	April 30 (5:00p.m.)

NATURE OF AGENDA ITEM

- | | | |
|---|---|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Resolution | <input type="checkbox"/> New Business |
| <input type="checkbox"/> Report | <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Manager's Report |
| <input type="checkbox"/> Consent Agenda | <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Attorney's Report |
| <input type="checkbox"/> Bids | <input type="checkbox"/> Old Business | <input type="checkbox"/> Other |

EXPLANATION: Second ILA Public School Facility Planning of Broward County – Deferred by Commissioner Clottey to May 11, 2010 Commission meeting – School Representative requesting to be moved to the April 13, 2010 Commission meeting due to numerous phone calls from parents.

STAFF RECOMMENDATION:**BOARD/COMMITTEE RECOMMENDATION:****FISCAL IMPACT AND APPROPRIATION OF FUNDS:**

- | | |
|---|--|
| <input type="checkbox"/> Amount \$ _____ | <input type="checkbox"/> Acct # _____ |
| <input type="checkbox"/> Transfer of funds required | <input type="checkbox"/> From Acct # _____ |
| <input type="checkbox"/> Bid | <input type="checkbox"/> Grant <input type="checkbox"/> Amount represents matching funds |

Town Attorney review required

- ☐
- Yes
- ☒
- No

Town Manager's Initials: EC

PUBLIC SCHOOL CONCURRENCY

A Coordinated Process For Community
Development & Public Education Planning



■ What is Public School Concurrency?

- • Public School concurrency is based on the premise that public school facilities must be available to accommodate students from new residential developments at the time the housing is occupied
- • The same concept applies to other types of public facilities such as roads, parks, sewer and water to support new residential developments
- • The concept of concurrency is required by Florida Law

Key Requirements of Public School Concurrency

- Signing of an Interlocal Agreement (ILA) between the School Board, Broward County and its Municipalities to establish public school concurrency provisions
- Expanding local government comprehensive plans to include a public school facilities planning section
- Adopting a uniform adequate operational capacity standard (level of service standard) for schools that must be supported through the funding contained in the District's Adopted 5-Year Work Plan
- The operational capacity must be assessed for each school level boundary (elementary, middle and high) when impacted by a proposed residential development



Purpose

- Realize the benefits of closely coordinating land use and school facilities planning
- Better coordinate the availability of capacity at school facilities in time and location with residential development occupancy
- Determine if a developer must pay to mitigate the development's impact on the school in order for the development to proceed
- Take advantage of existing infrastructure in planning new schools, including roads, water, sewer and park facilities

Purpose

- Require Intergovernmental Coordination between local governments and the School Board to ensure:
 - Safe student access to public school facilities
 - Coordination between the School Board and local governments regarding the siting of new public school facilities
 - The provision of infrastructure to support new public school facilities
 - The location of new public school facilities adjacent to parks, ball fields, libraries, community facilities, etc.



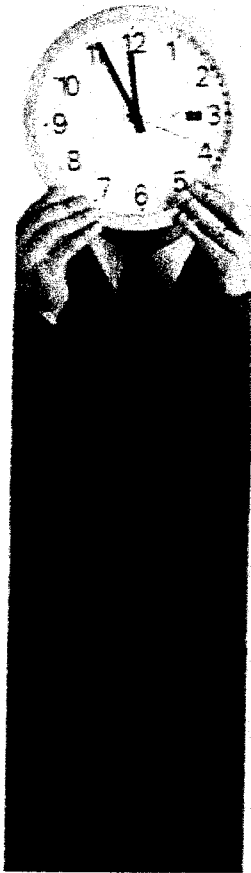
Broward County  Public Schools

Agreement Participants

- The School Board of Broward County, FL
- Broward County
- City Commissions or Town Councils of the Cities and Towns of
 - Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale-By-The-Sea, Lauderdale Lakes, Lauderdale, Lazy Lake, Margate, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Tamarac, Weston, West Park and Wilton Manors.

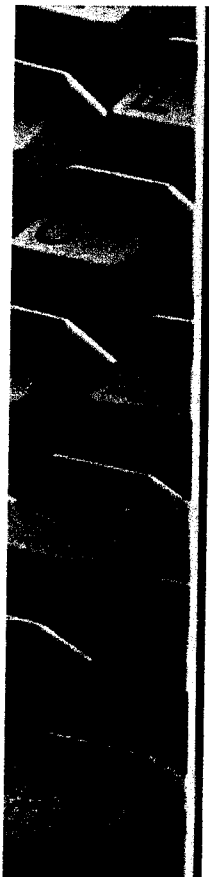


Broward County  Public Schools



Joint Responsibilities of the Parties

- Sharing of information regarding:
 - County and Municipal population projections
 - Student population projections
 - Development trends
 - Siting of new schools
- Regularly scheduled meetings to address growth issues and the planning for public school facilities
- All parties must ensure the establishment and maintenance of the operational capacity for each elementary, middle and high school



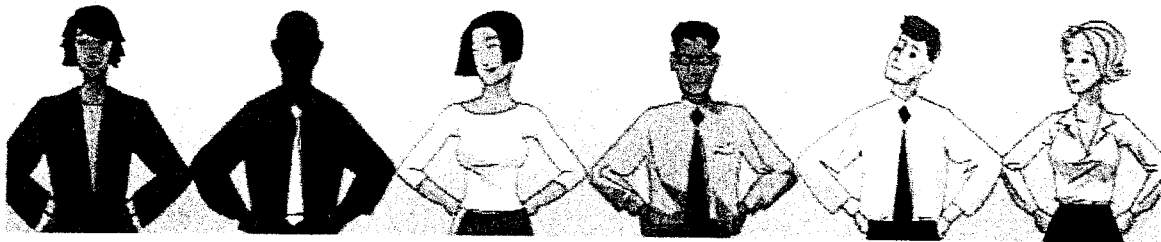
District Responsibilities

- School Board's Five Year Capital Plan annually prepared, updated and adopted must reflect enough capacity additions to maintain the adopted operational capacity at each elementary, middle and high school
- Review proposed residential development applications and recommend approval or denial based on availability of school capacity
- Accept or reject mitigation proposals from developers whose projects impact overcrowded schools

County and Municipal Responsibilities

- Ensure submittal of residential development applications to the District for review on a timely basis
- Ensure approval or denial of residential development applications are based on School District recommendations
- Provide information to the District regarding the approval or denial of development applications to ensure the reservation of needed student station capacity

Broward County  Public Schools



Implementation Mechanisms

A technical group (Staff Working Group) consisting of the School Board, County and Municipal staff that meets and implements provisions of Interlocal Agreement (ILA)

- A 15-member Oversight Committee consisting of elected officials (including School Board Members) and appointees that oversee implementation of the ILA
- An appeal process to resolve disputes that may arise from implementation of the ILA

Broward County  Public Schools

Effects of Public School Concurrency on Broward County

- Ensures that new residential developments are accountable for their impact on the District's elementary, middle and high schools
- Provides mechanisms to ensure that school capacity is available to address residential development growth in the County
- Helps to improve the quality of education for Broward County Public School students



Questions About Public School Concurrency

Please contact the School District's Growth Management Department at 754-321-2177.

Frequently Asked Questions (FAQs) regarding public school concurrency have been incorporated as an addendum for additional information.

NOTE: The FAQs may be periodically updated and can be accessed at:

<http://www.broward.k12.fl.us/propertymanagement>



FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions

Question No. 1: Isn't it too late for public school concurrency?

It is true that Broward County is close to built out, and that public school concurrency may have a greater impact in counties that are experiencing high growth. However, public school concurrency will help prevent new development from exacerbating the overcrowding of schools in areas of the County where school capacity is currently unavailable. In addition, as redevelopment accelerates in Broward County, public school concurrency will enable the School District to plan for the availability of public school facilities to serve the anticipated growth.

Question No. 2: What is the potential impact of public school concurrency law to:

a) Developers?

Developers will not be impacted in the areas where the public schools in Broward County have excess capacity. However, if a developer wants to build in an area where there is no available school capacity, such project may be denied on the basis of public school concurrency. However, the developer still has options that may enable the project to proceed. For example, the developer may propose proportionate share mitigation, which essentially means that the developer pays for his/her proportionate impact on the school system or the developer can wait until capacity is available knowing that public school concurrency requires that the School District must achieve and maintain the adopted level of service standard (LOS) of 110% of a school's permanent capacity within a five-year period.

b) The community?

Public school concurrency law elevates the availability of permanent capacity to the top of the District's list of priorities by requiring that the School District achieve and maintain the adopted LOS at each District School. The intent of this law ensures the community that the School District, County, Municipalities and Developers will work together to make sure that seats will always be available to support new development. However, the District is currently coping with budget shortfalls and geographic capacity imbalances while trying to meet the mandates of public school concurrency law. As such, the boundary process and programming of schools may be affected as the District works to achieve and maintain the adopted LOS at each school predominantly with excess permanent capacity from the under enrolled schools.

FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions (continued)

Question No. 3: Could my child be reassigned to another school because of public school concurrency?

Generally, when new residential developments are built, students anticipated from such developments are assigned to the school boundary serving the location of the development if the schools have capacity to accommodate the anticipated students. However, if the impacted school is determined to be over capacity, School Board policy requires that such students be assigned to the adjacent schools that have sufficient available capacity. Normally the adjacency allocation will not result in a boundary change; however in the advent of public school concurrency, it is a factor that the Board would consider during the boundary process. Thus, the school boundaries may be affected if the capacity deficiency persists at the school boundaries that are primarily impacted by the proposed development. Therefore, such scenario may result in a child being reassigned to another school.

Question No. 4: How will public school concurrency impact the quality of my child's education?

The adopted LOS used to implement public school concurrency establishes the maximum acceptable level of overcrowding at each District elementary, middle, and high school. Thus public school concurrency could indirectly improve the quality of a child's education through the assurance that sufficient permanent capacity will be available to accommodate students anticipated from proposed residential developments.

Question No. 5: What are the consequences of not participating in the public school concurrency process?

1. Exemption from participating in the public school concurrency process is only granted by the State. Therefore, all non-exempt local governments are required to sign the Interlocal Agreement (ILA) and implement public school concurrency requirements. Therefore, failure to participate in the process will result in local governments being prohibited from adopting comprehensive plan amendments that increase residential density.
2. Per the ILA, local governments can not issue building permit for residential developments, if they are signatories to the ILA.
3. Local governments that violate the provisions contained in the ILA will be identified in the Annual Report regarding the implementation of the ILA that is issued by the Oversight Committee. The ILA requires that the annually issued report be provided to the School Board, Broward County, the 27 Municipal Signatories, and the public.

FREQUENTLY ASKED QUESTIONS AND RESPONSES REGARDING PUBLIC SCHOOL CONCURRENCY

General Questions *(continued)*

Question No. 6: Will public school concurrency result in more portables at our schools?

No, because the ILA only allows the utilization of portables "as an operational solution during the replacement or expansion of District school facilities, or at Exceptional Student Education cluster sites, or in the case of a disaster or emergency."

Question No. 7: At what point does the School District review for public school concurrency?

State law requires the review for public school concurrency be conducted at the Subdivision (Plats) and Site Plans or (Function Equivalent) phases of development review process.

Definitions

Amended Interlocal Agreement for Public School Facility Planning (ILA):

Pursuant to State Statute, the Agreement between the School Board of Broward County, Florida, Broward County, and 27 Municipalities, which addresses growth management issues and the provision and availability of public school facilities needed to serve students anticipated from proposed residential development.

Plat:

The division or subdivision of a tract or parcel of land(s) into lot(s), block(s), etc.

Proportionate Share Mitigation:

Proportionate share mitigation means when a developer pays the cost required to provide the permanent capacity needed to accommodate the student(s) anticipated from his/her proposed residential development after the School District has determined that permanent capacity is not available to accommodate such student(s).

Site Plan:

The depiction of the location of improvements on a parcel of land which also contains all the information required by zoning ordinances.

Questions and Answers Regarding the Proposed Second Amended Interlocal Agreement for Public School Facility Planning

1. *Portables in some schools in the cities are very old, are not in good condition; meanwhile the Board plans to put students in such facilities; explain why?*

All portables are inspected annually and are refurbished, if required and if practical. No student would be placed into a portable that did not meet standards. Additionally, numerous parents have indicated that they would prefer to have their children educated in portable facilities than be subjected to school boundary change.

2. *How will the amendments proposed in the Second Amended Interlocal Agreement for Public School Facility Planning (ILA) benefit schools in the cities?*

At the minimum, the benefits regarding amendment of the adopted level of service standard (LOS) from 110% permanent FISH capacity to 100% gross capacity are as follows:

- a. Avoids having to bus students directly past their current school campus that has appropriate student stations in portables that meet all state and local standards that could be used if the ILA allowed the use of 100% gross capacity. The current ILA does not allow the school district to count the student stations in portables currently on any school campus.
- b. Avoids **future massive** domino boundary changes that would be necessary to meet public school concurrency requirements.
- c. Means fewer schools and significantly fewer students would be subject to boundary changes.
- d. Maintains the integrity of community/neighborhood schools and supports the concept of schools as focal points of communities.
- e. Saves the School Board critical funds as a result of not having bus additional students due to boundary changes.
- f. Enhances safety of our children due to less children traveling to school on buses each day.
- g. Enhances maximum utilization of capacity at each school site as directed by Chapter 163.3180, Florida Statutes.
- h. Currently, the School Board utilizes portables to meet the constitutional class size reduction requirement, but current language in the Amended ILA prevents the Board from utilizing portables to meet the adopted LOS. However, the proposed amendment will enable the Board to utilize portables to meet the adopted LOS.
- i. All District elementary, middle and high schools will have a new and the same five-year deadline (school year 2014/15) to meet the adopted LOS. Currently some schools must meet the LOS deadline as early as 2010/11 or in 2012/13 or 2013/14. Therefore, all schools will get an extension of time if the new ILA is adopted.

Also, the other proposed amendments to the Amended ILA would enhance the intergovernmental coordination between the School District and local governments regarding implementation of pertinent provisions of the Agreement.

3. *Why are unused portables still at school sites?*

Currently, there are no available funds to move portables. Unused portables will remain at the current site until there is such need to move them. Each move could cost the district approximately \$60,000 depending on each site, so unless there is a need for portables to be moved to meet class size reduction or another state mandate, the district will not incur these expenses in these tight budget times.

4. *How will the amendments proposed in the Second Amended ILA help maintain the integrity of neighborhoods?*

The integrity of the neighborhoods would be maintained because more students will have the ability to continue to attend their current schools closest to their neighborhoods.

5. *How has public school concurrency changed since initially implemented?*

The implementation of public school concurrency has not changed since initially implemented in 2008. However, the adopted Five-Year District Educational Facilities Plan (DEFP) has drastically changed because most of the permanent capacity additions (planned new schools or new classrooms) that were anticipated to be relied upon in over crowded communities to meet public school concurrency requirements and the adopted LOS have been eliminated from the DEFP due to the requirements of the 2008 State Plant Survey.

6. *What happened to the expanded concurrency service model, and are there large number of existing portables that are not counted in the Florida Inventory of School Housing (FISH) formula?*

Upon further analysis of the model, the stakeholders involved in the examination of the various options felt that the expanded concurrency service model was not a viable option, and the School Board concurred with their position. Also, all District portables are counted in F.I.S.H. by the state. In contrast, they are not allowed to be counted in the current Amended ILA.

7. *Explain the apparent discrepancy to the claim that the amendments proposed in the Second Amended ILA would reduce the need for boundary changes while also stating that the proposal would not prevent boundary changes for educational purposes.*

One of the benefits of the amendments proposed in the Second Amended ILA is that **fewer schools and significantly fewer students** would be subject to boundary changes; hence the reduction in boundary changes. However, some boundary changes may still need to take place to comply with educational mandates such as the constitutional class size reduction requirement.

8. *Are there assurances that the amendments proposed in the Second Amended ILA, if adopted, would not limit funds that would otherwise be directed towards improvements to aging facilities?*

The key element of the amendments proposed in the Second Amended ILA regards changing the adopted LOS from 110% permanent FISH capacity to 100% gross capacity, which would authorize the use of portables to meet the adopted LOS. Thus, if adopted, would not limit

funds that would otherwise be directed towards improvements to aging facilities. It should be noted that on the most part the Second Amendment would enable the portables that are already onsite to be counted towards LOS. In fact, the massive domino boundary changes that would be necessary to comply with the current ILA requirements would increase transportation costs to the District. Therefore, by not implementing these boundary changes, critical monies that would have been spent to transport students to their new assigned schools as a result of the boundary changes would become available for other critical needs in the District.

9. *Name municipalities that are currently not part of the Amended ILA.*

Currently, the municipalities that were granted exemption from public school concurrency and are therefore not parties to the Amended ILA include the Cities of Hillsboro Beach, Lighthouse Point, and Sea Ranch Lakes. The Village of Lazy Lake is currently not a party to the Amended ILA, nor has it applied to the State for exemption from being a party to the Agreement.

10. *Will the amendments proposed in the Second Amended ILA bring more portables into schools in the cities?*

If the Second Amended ILA is approved, as necessary, the specific number of portables needed to ensure that certain schools meet future LOS deadlines may be brought into such schools for that purpose. It should be noted that such exercises will be conducted as needed only during the timeframe specified in the Second Amended ILA for the use of portables.

11. *What problems will cities face if the Second Amended ILA is not amended and approved?*

The community would be affected by the **massive domino boundary** changes that would be planned in the fall of 2010 to ensure that District elementary, middle and high schools meet their adopted LOS deadline in the following years.

12. *How do the amendments proposed in the Second Amended ILA affect schools when they reach their maximum permanent capacity; more portables on school sites?*

The related amendment proposed in the Second Amended ILA is to ensure that in such scenarios and as feasible, primarily, existing portables on the school site rather than a change to school boundaries would be used to enable the school meet its LOS deadline.

13. *Could amendments proposed in the Second Amended ILA pose a problem for cities in the future due to the availability of excess capacity in the portables?*

No, because such excess capacity will readily be available to meet future growth in such cities.

14. *Can portables that are currently unused on sites be put into use without renovations to the portables?*

Yes, all District portables meet standards for usage.

15. *As proposed in the Second Amended ILA, can some cities extend the sunset deadline regarding the use of portables beyond 2018?*

No, because language in the Second Amended ILA requires that the adopted LOS would revert back to 110% permanent FISH capacity in the 2019/20 school year. Therefore, any extension for the use of portables beyond year 2018 would require an amendment to the ILA.

16. *Could charter schools be authorized for construction even though excess capacity exists in the District's schools and the School Board is under directive not build new schools or add permanent capacity due to the excess capacity?*

Chapter 1002.33, Florida Statutes governs charter schools. Upon review of provisions in the Chapter and feedback from the Director of the District's Charter School Support Department, conclusions are that there are no provisions in Florida Statutes that prohibits any person or entity from applying to open a new charter school, even while excess capacity exists at the District's schools and the School Board is under directive not to build any additional permanent capacity due to the excess capacity. Information on charter schools could be obtained at: http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1002/SEC33.HTM&Title=->2009->Ch1002->Section%2033#1002.33

17. *What are the potential issues of Amendment Four (Hometown Democracy) on comprehensive planning relative to the Amended ILA?*

Amendment Four as currently proposed would primarily affect the land use plan amendment (LUPA) process, and could secondarily affect the number of LUPA applications that become plats or site plans. As such, if Amendment Four passes, it could significantly affect the level of development in Broward County regardless of whether the ILA is amended.

18. *What is the total estimated cost to the School District for moving portables in order to meet level of service standard (LOS) at District schools?*

Currently, it costs the District approximately \$60,000 to move portables to another school site. However, data regarding the total estimated cost to move portables are not currently available because thus far, portables have not been moved to meet the adopted LOS.

19. *What is the minimum threshold of students necessary for schools to maintain full programming and equitable academic standards? Equity issues need to be considered that might require movement of students from overcrowded schools to under enrolled schools in order to achieve full programming. Additionally, it is suggested that Florida Inventory of School Housing (FISH) numbers and program capacity numbers be merged into a congruent formula.*

The state required standards for all educational academic programs are the Sunshine State Standards for each of the curriculum content areas. Equitable academic standards are defined in the Sunshine State Standards by providing what each child should know and be able to do at each grade level, not by the definition of the Florida Inventory of School Housing (FISH) or defined space at each school site. No matter how many student stations a school has, or how many students are in those identified student stations, the state as well as the School Board of Broward County still requires every

school to meet the Sunshine State Standards and provide equitable programs at every school.

20. *What future considerations are being made so that the Amended ILA would still be relevant as needs change and enrollment and funding turns around?*

The Amended ILA and its related mechanisms are structured to address relevant changes, funding issues and student enrollment projections. However there is no guarantee that another amendment to the ILA would not become necessary at some point in the future, especially if new laws are passed that would necessitate amendment to the Agreement.

21. *Are the amendments proposed in the Second Amended ILA a temporary or long-term fix?*

As it relates to LOS challenges, the Second Amended ILA would provide temporary relief. The proposed change in the adopted LOS from 110% permanent FISH capacity to 100% gross capacity would authorize the use of portables to meet the adopted LOS until the 2018/19 school year. It is anticipated that during the interim years, the School Board would implement as necessary, incremental boundary changes as needed, a new five year State Plant Survey will be conducted, enrollment changes will occur as the economic hardship decreases and families would gain stable footing and be on their own again rather than multiple families living in one residence as the District is now seeing and the Haitian immigration into schools stabilizes. However, the secondary changes proposed in the Second Amended ILA regarding timeframes and processes would provide long-term solutions to enhance the intergovernmental coordination between the School District and local governments in the ongoing implementation of pertinent provisions of the Agreement.

22. *Are there any state laws that prohibit the replacement of portables with permanent capacity?*

There are no state laws that prohibit the replacement of portables with permanent capacity. However, the School Board of Broward County current Five-Year District Educational Plant Survey as approved by the Florida Department of Education (DOE) does not permit any new permanent capacity construction.

**THE OVERSIGHT COMMITTEE
FOR
THE IMPLEMENTATION OF THE AMENDED INTERLOCAL AGREEMENT FOR PUBLIC
SCHOOL FACILITY PLANNING, BROWARD COUNTY, FLORIDA**

Telephone: 754-321-2177

**600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301**

Fax: 754-321-2179

The same version of this letter was sent to the other 26 Municipal Signatories to the Amended Interlocal Agreement for Public School Facility Planning.

January 22, 2010

David Rivera, City Manager
City of Coconut Creek
4800 West Copans Road
Coconut Creek, Florida 33063

RE: Oversight Committee Recommendation on the Proposed Second Amended Interlocal Agreement for Public School Facility Planning

Dear Mr. Rivera:

The purpose of this correspondence is to inform you that pursuant to Article XIV (Amendment Procedures) of the Amended Interlocal Agreement for Public School Facility Planning (ILA), the Oversight Committee on January 13, 2010 reviewed the proposed Second Amended ILA and related back-up materials. At the conclusion of deliberations, the Committee unanimously voted to approve the proposed amendments, which include changing the level of service standard (LOS) from the current 110% permanent FISH capacity to 100% gross capacity, sunseting the use of relocatables in the year 2018, and retaining the concurrency service areas (CSA's) as individual school boundaries.

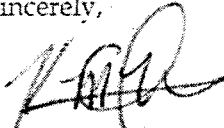
The Committee believes that the proposed changes as reflected in the Second Amended ILA are a manageable solution to the complex issues that necessitated the changes. Additionally, the Committee is pleased that this solution was reached in partnership with the School Board, the Broward League of Cities, School District staff, Broward County staff, Staff Working Group, other stakeholders, and members of the community at large. Implicit in the Oversight Committee's unanimous vote is its resolute request for the School Board, the Broward County Board of County Commissioners, and the 27 Municipal signatories to the Amended ILA to approve the Second Amended ILA to promptly approve the Second Amended ILA. Please be advised that School District staff will under separate cover provide you with the proposed Second Amended ILA and related back-up materials to enable formal action by your governing body.

Furthermore, it can be safely assumed that the Committee agrees that a successful adherence to the tentative schedule regarding consideration of the proposed Second Amended ILA is very important to ensure that the hard work put forth by all involved yields the desired result. Please be assured that as we go through the process to amend the Agreement, the Oversight Committee will continue to lend its assistance to ensure a successful outcome. Thus, I encourage you to provide this correspondence to the governing body of your municipality and other staff members as you deem appropriate.

Oversight Committee Recommendation on the Proposed Second Amended Interlocal Agreement for
Public School Facility Planning
January 22, 2010
Page 2

Please contact Chris Akagbosu, Director, Growth Management Department, Broward County Public Schools at (754) 321-2162, or via E-Mail at chris.akagbosu@browardschools.com if you have additional questions regarding this matter. Also, please copy Mr. Akagbosu on all correspondence regarding this matter.

Sincerely,



Keven R. Klopp, Chair
Oversight Committee

KRK:krk

cc: Mayor Gary Resnick, President, Broward League of Cities
Rhonda Calhoun, Executive Director, Broward League of Cities
Staff Working Group Members

Oversight Committee Members

*Keven R. Klopp, Chair • School Board Member Maureen Dinnen, Vice Chair • Council Member Peter Tinigom, Secretary • School Board Member Robin Bartleman • Mayor Joy Cooper • Mayor Debby Eisinger • Latha Krishnaiyer • Lew Naylor • Carolyn Marks • Mayor Gary Resnick • Roy Rogers
Commissioner Daniel J. Sterner • School Board Member Kevin P. Tynan • Commissioner Lois Wexler*

**STAFF WORKING GROUP
THE AMENDED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING,
BROWARD COUNTY, FLORIDA**

January 4, 2010

Kevin Klopp, Chair
The Oversight Committee for the Implementation of the Amended
Interlocal Agreement for Public School Facility Planning
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301

RE: Staff Working Group Recommendation Regarding the Proposed Amendments to the Amended
Interlocal Agreement for Public School Facility Planning

Dear Mr. Klopp:

On December 16, 2009, the Staff Working Group (SWG) received the formal request from the School Board ("Initiating Party") to review the proposed amendments to the Amended Interlocal Agreement for Public School Facility Planning (ILA) to primarily accomplish the following:

1. "Amend the Amended ILA to change the adopted level of service standard (LOS) for each elementary, middle and high school from 110% permanent FISH capacity to 100% gross capacity commencing from school year 2010/11 to school year 2018/19, with the concurrency service areas (CSA) to remain as individual school boundaries; and
2. Include as part of the District's primary request cited above, amendments desired by Broward County and the Municipal representatives of the Staff Working Group (SWG) to address timeframes and process issues contained in certain Sections of the Amended Agreement."

On December 17, 2009, a majority (twenty-three (23) for, and two (2) against) of the SWG voted in support of the proposed amendments to the Amended ILA, and the specific language regarding the amendments documented in Exhibit 2 "Second Amended Interlocal Agreement for Public School Facility Planning, December 18, 2009". Additionally, as stated in Section 14.1(d) ("Process to Amend the Interlocal Agreement") of the Amended ILA, the proposed amendments are consistent with the Comprehensive Plan as required by Sections 163.3177 and 163.3187, F.S. Therefore, the SWG recommends that the Oversight Committee should approve the proposed amendments to the Amended ILA, and the specific language regarding the amendments documented in Exhibit 2.

600 SE 3rd Avenue, 8th Floor - Fort Lauderdale, Florida 33301
Telephone: (754) 321-2162 Fax: 754-321-2179

Staff Working Group Recommendation Regarding the Proposed Amendments to the Amended
Interlocal Agreement for Public School Facility Planning

January 4, 2010

Page 2

Also, SWG deliberations regarding the proposed amendments will be contained in the December 17, 2009 Draft (Not Approved) SWG Minutes that will be provided to the Oversight Committee at their January 13, 2010 meeting.

Please contact me via E-Mail at eichners@calvin-giordano.com or call me at (954) 266-6465 if you have additional questions regarding the formal action taken by the SWG.

Sincerely,



Shelley Eichner, Chair
Staff Working Group

SE:se

Attachments

- Exhibit 1: List of Amendments to the Amended Interlocal Agreement for Public School Facility Planning
Exhibit 2: Second Amended Interlocal Agreement for Public School Facility Planning, December 18, 2009

cc: Oversight Committee Members
The Chair and Members of The School Board of Broward County, Florida
Mayor and Members of the Broward County Board of County Commissioners
James F. Notter, Superintendent, Broward County School District
Bertha Henry, Broward County Administrator
Edward Marko, General Counsel, The School Board of Broward County, Florida
Alan Gabriel, Cadre Attorney, The School Board of Broward County, Florida
Maite Azcoitia, Deputy County Attorney
Amended ILA Municipal Mayors
Amended ILA Municipal City Managers
Amended ILA Municipal Attorneys
Commissioner Margaret Bates, President, Broward League of Cities
Rhonda Calhoun, Executive Director, Broward League of Cities
Staff Working Group Members

**OVERSIGHT COMMITTEE FOR THE IMPLEMENTATION OF THE AMENDED INTERLOCAL AGREEMENT FOR
PUBLIC SCHOOL FACILITY PLANNING
BROWARD COUNTY, FLORIDA**

NAME	COMPANY	ADDRESS	TELEPHONE	FAX	EMAIL	APPOINTED BY	DATE APPOINTED	DATE TERM EXPIRES
The Honorable Peter Tingom, Council Member	City of Plantation	400 NW 73rd Avenue Plantation, FL 33317	(954)797-2237	(954)797-2238	ptingom@plantation.org	Broward League of Cities	6/17/2009	6/17/2011
The Honorable Joy Cooper, Mayor	City of Hallandale Beach	400 South Federal Highway Hallandale Beach, FL 33009	(954)457-1300	(954)457-1454	joycooper@aol.com	Broward League of Cities	8/27/2009	8/27/2011
The Honorable Debby Eisinger, Mayor	City of Cooper City	9090 SW 50 Place, P.O. Box 290910, Cooper City, FL 33329	(954)434-4300	(954)434-5099	Mayor_Eisinger@CooperCityFL.org	Broward League of Cities	12/1/2009	12/1/2011
The Honorable Gary Resnick, Mayor	City of Wilton Manors	401 E. Las Olas Blvd. #1850 Ft. Lauderdale, FL 33301	(954)761-8111	(954)761-8112	gresnick@gray-robinson.com	Broward League of Cities	3/8/2009	3/8/2011
The Honorable Daniel J. Stermer, Commissioner	City of Weston	17200 Royal Palm Blvd. Weston, FL 33326	(954)385-2000	(954)385-2010	dstermer@westonfl.org	Broward League of Cities	3/27/2008	3/27/2010
Marilyn Soltanipour	Education Advisory Board Chair, City of Pembroke Pines	6712 Mariposa Circle East Pembroke Pines, FL 33331	(954)680-5897		soltanipourm@bellsouth.net	Broward County Board of County Commissioners	2/9/2010	2/9/2012
Keven R. Klopp, AICP	Hollywood Advisory Committee	150 NE 2nd Ave., Deerfield Beach, FL 33441	(954)480-4222		kklopp@deerfield-beach.com	Broward County Board of County Commissioners	4/14/2009	4/14/2011
Latha Krishnaiyer	Broward PTA	10405 NW Sixth Street Coral Springs, FL 33071	(954)752-8373		krish6@bellsouth.net	Broward County Board of County Commissioners	6/2/2009	6/2/2011
Carolyn Marks		7121 East Cypresshead Drive Parkland, FL 33067	(954)755-7464	(954)755-7469	cmarks7121@aol.com	Broward County Board of County Commissioners	4/28/2009	4/28/2011
The Honorable Lois Wexler, Commissioner	Broward County	115 S. Andrews Avenue Room 414 Ft. Lauderdale, FL 33301	(954)357-7005	(954)357-6044	lwexler@broward.org	Broward County Board of County Commissioners	3/13/2009	3/13/2011
Robin Bartleman, School Board Member, SBBC	The School Board of Broward County	600 SE 3rd Avenue, 14 Floor Ft. Lauderdale, FL 33301	(754)321-2009	(754)321-2700	robin.bartleman@browardschools.com	The School Board of Broward County	12/16/2008	12/16/2010
Maureen S. Dinnen, School Board Member, SBBC	The School Board of Broward County	600 SE 3rd Avenue, 14 Floor Ft. Lauderdale, FL 33301	(754)321-2003	(754)321-2700	maureen.dinnen@browardschools.com	The School Board of Broward County	12/16/2008	12/16/2010

**OVERSIGHT COMMITTEE FOR THE IMPLEMENTATION OF THE AMENDED INTERLOCAL AGREEMENT FOR
PUBLIC SCHOOL FACILITY PLANNING
BROWARD COUNTY, FLORIDA**

NAME	COMPANY	ADDRESS	TELEPHONE	FAX	EMAIL	APPOINTED BY	DATE APPOINTED	DATE TERM EXPIRES
Kevin P. Tynan, Esq.	The School Board of Broward County	600 SE 3rd Avenue, 14 Floor Ft. Lauderdale, FL 33301	(754)321-2002	(754)321-2700	kevin.tynan@browardschools.com	The School Board of Broward County	11/10/2009	11/10/2011
Lew Naylor	District Advisory Council	4755 NE 17th Avenue Oakland Park, FL 33334	(954)682-6313		naylorrealty@bellsouth.net	The School Board of Broward County	12/16/2008	12/16/2010
Roy Rogers	Roy Rogers & Associates, c/o IBI-CCL Consultants, Inc.	12500 W. Atlantic Blvd. Coral Springs, FL 33071	(954)344-9855	(954)341-5961	rrogers@ibigroup.com	The School Board of Broward County	6/16/2009	6/16/2011
Shelley Eichner	Calvin Giordano & Associates	1800 Eller Drive, Suite 600 Ft. Lauderdale, FL 33301	(954)266-6465	(954)921-8807	eichners@calvin-giordano.com	Staff Working Group (Ex-Officio Member)	12/8/2008	3/4/2010